

1 THE HONORABLE BRIAN A. TSUCHIDA  
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12 UNITED STATES DISTRICT COURT  
13 WESTERN DISTRICT OF WASHINGTON  
14 AT SEATTLE

15 CHRISTOPHER J. HADNAGY, an  
16 individual; and SOCIAL-ENGINEER,  
17 LLC, a Pennsylvania limited liability  
18 company.,

19 Plaintiffs,

20 v.

21 JEFF MOSS, an individual; DEF CON  
22 COMMUNICATIONS, INC., a  
Washington corporation; and DOES 1-10;  
and ROE ENTITIES 1-10,

23 Defendants.

24 No. 2:23-cv-01932-BAT

25 **DECLARATION OF RECORDS  
CUSTODIAN OF SECURITY  
INNOVATION**

1 I, Edward Robinson-Adams, declare as follows:

2 1. I am a duly authorized custodian of the attached records described in the  
3 Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in  
4 a Civil Action that was served on Security Innovation, Inc. ("Security Innovation"), on  
5 November 27, 2024, and have the authority and personal knowledge to certify the authenticity of  
6 the attached records.

7 2. The attached records in Exhibit A are true and correct copies of records that were  
8 prepared or received by Security Innovation in the ordinary course of regularly conducted  
9 business. These records were prepared or received at or near the time of the acts, events,  
10 conditions, or opinions described therein and were prepared or received either by persons with  
11 knowledge or from information transmitted by persons with knowledge of those acts, events,  
12 conditions, or opinions.

13 I declare under penalty of perjury under the laws of the State of Washington that the  
14 foregoing is true and correct.

15 Dated: 10 February 2025

16  
17   
18 (Signature) Records Custodian

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20 Edward Robinson-Adams  
21 (Print Name)

# Exhibit A

**From:** Geoffrey Vaughan [gvaughan@securityinnovation.com]  
**Sent:** 9/30/2016 8:24:12 AM  
**To:** Joe Basirico [jbasirico@securityinnovation.com]  
**Subject:** Re: Derbycon Issues

Hi Joe,

Here are the details of my experiences at DerbyCon, when contacting them you might consider leaving the instructor name/course name out at first until they acknowledge the issues. This is because the organisers are very close with the trainer.

Course: OSINT Tools  
Instructor: Chris Hadnagy

Summary of Events:

Day 1:

The first couple hours started out fine, during that time the instructor informed us that he would be keeping the class to a PG-13 level of humor (this lasted about 10min).

During our morning activity we were discussing mp3 downloads. From here he went onto a tangent around finding videos and that you should be careful what type of videos you come across on the internet. This led him to tell stories about how one time he stumbled on a page of videos labelled "Hot Wheels". He then went on to describe the that the term did not refer to children's toys but an extremely explicit sexual fetish involving "Hot amputee women in wheel chairs". To my discuss the Hot Wheels reference was a recurring bell that rung throughout the class whenever an inappropriate topic was brought up.

Had I known it was only going to get worse from here I should have walked out of the class then. I'm not the type to speak out at the time of incident but rather I usually go quiet when I am upset (and I'm sure most people would also be afraid to stand up in front of a class when feeling this uncomfortable). On the other side of things I was learning content that was relevant to my job, the tools were interesting and my employer had paid for me to attend this conference and training. The cost however was my comfort and feeling of disgust. I didn't want my trip to be ruined on the very first day.

Throughout the rest of the day somehow the instructor got fixated on the subject of 70's porn and its music. The references continued almost hourly for the two days of training.

Day 2:

The morning picked up right where the previous day left off and took things up many notches further. The instructor started with a story from the previous evening where he had been at the bar with the conference organisers who reportedly slapped him in the balls twice, took a picture of it, and tweeted about it. This lead to a day full of ball slapping references.

In the morning of the second day the instructor asked a question in which myself and another student replied with two quick witted sarcastic remarks. The instructors inability to match wits with those remarks forced him to resort to pulling out his switch blade in his hand pointing the knife at me and saying "One of you is getting ball slapped with this". At the time I did not perceive him as a serious threat to my life but I did feel that it was a horribly inappropriate remark and action to make against a student in a class while all other students laughed.

At this point I pretty much shut down from the course but was determined to get through it. When I was able to focus on the course content I did find the material interesting although it was hard to get this negative experience out of my mind. Throughout the rest of the day I did also make note of additional instructor remarks. The following is a sample:

- "Boobs have super powers" in reference to woman in social engineering
- Frequent references to ball size
- "Were all gonna hack naked"
- "Let's all take a group nap and spoon, I get to be middle spoon"
- Frequent 70's porn references and insistence on playing it throughout our work periods.

I'm not sure if I was the only one offended or not, from what I could tell everyone else was laughing along with all of the instructors jokes. Unfortunately I failed to see the humor and felt like an outsider. What concerns me though is that through this course there is a sub curriculum of indoctrination where students learned what 'acceptable behaviour' was from an 'elder' of the security community. People take training to learn from instructors who are experts in the field. I hope this behaviour will not be perpetuated as a result of this course and instructor.

After the course I was determined to voice my concerns directly to the instructor and I did do so. At the time he apologised but I was not convinced that he fully appreciated the severity of my concern. At the time he seemed unaware of how upset I was or why I would be upset at all.

Afterwards I tried to not let this experience ruin the rest of my Derbycon but it got off to such a rough start that I viewed the whole conference with a grudge. I did have many positive experiences during the conference but did find it hard to move past the negative ones. Even a week later it still puts quite a damper on my memory of Derbycon. Even after winning a free pass to next years conference I don't see myself putting myself in a situation to be subjected to this type of experience again.

On Mon, Sep 26, 2016 at 9:22 PM, Geoffrey Vaughan <[gvaughan@securityinnovation.com](mailto:gvaughan@securityinnovation.com)> wrote:

Hi Joe,

We can probably talk more about this on our meet up on wednesday but I thought I might start a thread around this first and see who you might want to loop in around the issues.

My thought is that if we are going to approach them in any way to address the issue we should decide an outcomes we want to achieve by approaching them. Here are some thoughts I've had so far. I've reached out to a few other peers who may also contribute ideas.

- 1) Convince them that it is more of a system issue then an isolated issue. In one example the conference organiser is at the centre of one of my stories.
- 2) If they insist on it being an isolated issue get a commitment for proper resolution of this issue.
- 3) Code of conduct / Inclusion /Respect / harassment policy for future conferences

Other ideas?

Geoff

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**From:** Joe Basirico [jbasirico@securityinnovation.com]  
**Sent:** 3/8/2017 8:22:25 PM  
**To:** Geoffrey Vaughan [gvaughan@securityinnovation.com]  
**Subject:** Fwd: Following up from DerbyCon

Fyi, I'll respond tomorrow, but in take this as very promising.

Joe

Begin forwarded message:

**From:** David Kennedy <[davek@derbycon.com](mailto:davek@derbycon.com)>  
**Date:** March 8, 2017 at 6:20:34 PM PST  
**To:** Karl Tomsik <[creepy@derbycon.com](mailto:creepy@derbycon.com)>  
**Cc:** Joe Basirico <[jbasirico@securityinnovation.com](mailto:jbasirico@securityinnovation.com)>, "DerbyCon 4.0" <[info@derbycon.com](mailto:info@derbycon.com)>  
**Subject: Re: Following up from DerbyCon**

Good Evening Joe,

Thanks for reaching out to us and it is disheartening to hear that an attendee had this type of experience at our conference. We appreciate outlining the details, this is extremely shocking to us as this is the first that we've heard of any of these issues regarding that specific instructor (we went back to the evaluations and checked). Totally inappropriate. We will address this as a formal complaint and ensure that it doesn't ever happen again. He will no longer be welcome back at the conference if such actions occur again. No excuses on that front and for what you outlined in the email around his behavior.

This is the actions of one instructor, it by no means represents DerbyCon, the staff, attendees, instructors, or what we try to accomplish with the conference. I'm not sure if you were there for last years opening ceremonies but I addressed acceptable behavior during the opening ceremonies and how if there was any inappropriate behavior it wouldn't be tolerated. Also re-iterated this at the DerbyCon party. We want folks to be in a safe environment and feel comfortable when coming to the conference. We intentionally overstaff on security to ensure folks have a safe environment when coming to DerbyCon.

We appreciate you outlining other recommendations on how to make DerbyCon better with a code of conduct. We will take the recommendation under advisement and determine if it is something that is appropriate and if it is something we want to pursue.

Glad to hear you've enjoyed the past few DerbyCon's and hope to see you for many more.

Respectfully,

-Dave

On Wed, Mar 8, 2017 at 6:53 PM, Karl Tomsik <[creepy@derbycon.com](mailto:creepy@derbycon.com)> wrote:

Hello Joe, thank you for informing us of your concern. I've CC'd the rest of the DerbyCon team to bring it to their attention as we do take all feedback seriously. Are you able to share with us who the instructor was so that we can followup?

On Wed, Mar 8, 2017 at 8:18 PM, Joe Basirico <[jbasirico@securityinnovation.com](mailto:jbasirico@securityinnovation.com)> wrote:

Hi Karl,

I'm the VP of Services at Security Innovation, a security consulting and assessment company. One of our Security Engineers attended DerbyCon last year, a conference which we have held in high regard as a technically exceptional security conference.

Unfortunately, he returned with concerns over sexual harassment issues in a course he attended. Security Innovation takes this kind of thing very seriously and we wanted to share our concerns with you so you may have a chance to address it. Within our company if anybody were to use the language in one of our offices they would, at minimum, be reprimanded, if it continued, they would be terminated.

I'm sure you share similar values that all people should feel welcome, safe and respected in our industry. I also assume that you appreciate handing this with responsible disclosure, vs. an open letter to the conference. I'll walk you through what he witnessed and reported to me.

Day 1 of the class:

- The instructor promised to keep the class "PG-13" however,
- Morning Activity included a tangential story describing in detail an extremely shocking porn called "Hot Wheels."
- Hot Wheels became a recurring joke throughout the class
- Throughout the day the instructor became fixated on 70's porn and its music was played throughout the two days

Day 2

- The instructor told a story about getting slapped in the balls, twice. He then directed the students to tweets and photos about it which led to the rest of the day including ball-slapping references.
- After one of the students made a witty comment the instructor pulled out his switchblade knife and pointed it at the student saying "one of you is getting ball slapped with this."
- This seemed to be a joke, but obviously threatening a student with an open switch blade is not even close to being appropriate.

Here are some other quotes from the instructor that were offensive and inappropriate:

- "Boobs have super powers" in reference to women in social engineering
- Frequent references to ball size
- "We're all gonna hack naked"
- "Let's all take a group nap and spoon, I get to be middle spoon"
- Frequent 70's porn references and insistence on playing 70's porn music throughout our work periods

The security industry lacks diversity and and struggles with a non-inclusive atmosphere that prohibits its growth. Unless this kind of behavior is kept in check it can encourage others to follow suit. If we want to be a more inclusive community, and I think we can all agree that's a goal, we need to be very careful not to create a culture that is offensive and makes it's members feel unwelcome.

These examples illustrate the undertones of misogyny and sexual misconduct that have no place in a security course, especially perpetuated by an instructor, and especially at a respected security conference. Additionally, brandishing a bladed weapon and threatening a student, even in jest, is extremely dangerous and

may even be grounds for a felony.

These kinds of actions offend students, make people feel uncomfortable, and normalize what is considered acceptable behavior, even when students don't speak up. For younger or newer people attending this course they may think this is acceptable and start to repeat or emulate the behavior. For any he offended, this could be the last security conference they ever go to. It could be the signal they need to leave the industry completely.

The reason I got into security more than 20 years ago was because of its inclusion. It was knowing that I could be taken seriously because of what I know, not because of what I look like, to loosely lift from the Hacker's Manifesto.

I manage a large team of security engineers, all of whom get a generous budget to attend any security conference that they'd like. I've had a few security engineers attend DerbyCon over the years, and this is the first example of harassment that I've heard, but that doesn't excuse it as part of a larger problem.

I'd like to see DerbyCon adopt and enforce a Code of Conduct, or Anti-Harassment policy like BlackHat (<https://www.blackhat.com/code-of-conduct.html>) or the Ada Initiative has done (<https://adainitiative.org/continue-our-work/ada-initiative-event-anti-harassment-policy/>) going forward. I'm looking forward to recommending DerbyCon as a great security conference and one that leads the industry in inclusion and equality.

I'd be happy to continue to talk or brainstorm ideas on how to improve DerbyCon, please feel free to reach out.

Thanks,  
Joe Basirico

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